

## **REMARKS**

Claims 1 and 56 have been amended. Claim 8 has been cancelled and incorporated into claim 1. Claim 67 has been cancelled and incorporated into claim 56. New claims 74-76 have been added. New claim 74 corresponds to a combination of former claim 1 and claim 14. New claim 75 corresponds to a combination of former claim 1 and claim 24. New claim 76 corresponds to a combination of former claim 56 and claim 71. No new matter has been added. Claims 1-7, 9-54, 56, 58-66 and 68-76 are pending in this application.

### **Rejection under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph**

Claims 1-7, 56 and 61-66 were rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph as indefinite. The Office Action asserts that these claims fail to set forth a composition or structure and only claim properties of tensile strength.

The rejection of claims 1-7, 56 and 61-66 has been obviated by appropriate amendment. Claim 8 has been incorporated into independent claim 1, and claim 67 has been incorporated into independent claim 56. Claims 8 and 67 were not included in this rejection. Applicants submit that claims 1-7, 56 and 61-66 as amended fully meet the requirements of 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, and request that this rejection be withdrawn.

### **Rejection under 35 U.S.C. § 102**

Claims 1 and 24-28 were rejected under 35 U.S.C. § 102(e) over Pomplun et al. (U.S. Patent No. 6,713,414 B1). The rejection of claims 1 and 24-28 is respectfully traversed, as Pomplun et al. is not a proper reference under 35 U.S.C. § 102(e). The present application claims the benefit of the filing date of U.S. Patent Application Serial No. 09/564,531, filed May 4, 2000, under 35 U.S.C. § 120. The earliest applicable date

of Pomplun et al. under 35 U.S.C. § 102(e) is May 4, 2000, the filing date of U.S. Patent Application Serial No. 09/564,268, from which this patent issued. Accordingly, the earliest applicable date of Pomplun et al. is not earlier than the priority date of the present application, and Pomplun et al. cannot be a valid reference under 35 U.S.C. § 102(e). Applicants respectfully request that this rejection be withdrawn.

### **Rejection under 35 U.S.C. § 102/103**

Claims 1-7, 11-13, 18-21, 23, 56, 58-66, 70, 72 and 73 were rejected under 35 U.S.C. § 102(e) or, in the alternative, under 35 U.S.C. § 103(a) over Chang et al. (U.S. Patent No. 6,423,804 B1). The Office Action asserts that Chang et al. discloses an ion-sensitive polymer for use in wet wipes, where the wet wipes can have the tensile strength properties recited in the claims. The Office Action further asserts that the wet wipes of Chang et al. would inherently have the cup crush or opacity properties recited in the claims or, in the alternative, that it would be obvious to provide the cup crush properties.

The rejection of the claims under 35 U.S.C. § 102(e) over Chang et al. has been obviated by appropriate amendment. Claim 8 has been cancelled and incorporated into independent claim 1, such that amended claim 1 now recites a wet wipe thickness greater than about 0.25 mm. Claim 67 has been cancelled and incorporated into independent claim 56, such that amended claim 56 now recites that the wetting composition contains less than about 3 weight percent organic solvents. The Office Action notes that each of these recitations are not disclosed in Chang et al. (p. 6, section 9; and p. 7, section 10). Accordingly, Chang et al. cannot anticipate the claims as amended, as the reference does not disclose each and every element of the claims. Applicants respectfully request that this rejection be withdrawn.

With respect to the alternative rejection under 35 U.S.C. § 103(a), this aspect of the rejection is respectfully traversed, as Chang et al. is not a proper reference under 35 U.S.C. § 103. Chang et al. has an issue date later than the filing date of the present

application. The present application and U.S. Patent. No. 6,423,804 B1 were, at the time the invention of the present application was made, commonly owned by Kimberly-Clark Worldwide, Inc. Accordingly, under 35 USC § 103(c), U.S. Pat. No. 6,423,804 B1 cannot be used, alone or in combination with other references, in a rejection under 35 U.S.C. § 103. Applicants respectfully request that this rejection be withdrawn.

### **Rejections under 35 U.S.C. § 103**

#### **Rejection over Chang et al.**

Claims 8-10, 22 and 71 were rejected under 35 U.S.C. § 103(a) over Chang et al. The rejection of claims 8-10, 22 and 71 is respectfully traversed, as Chang et al. is not a proper reference under 35 U.S.C. § 103. As noted above, the present application and U.S. Patent. No. 6,423,804 B1 were, at the time the invention of the present application was made, commonly owned by Kimberly-Clark Worldwide, Inc. Accordingly, under 35 U.S.C. § 103(c), U.S. Pat. No. 6,423,804 B1 cannot be used, alone or in combination with other references, in a rejection under 35 U.S.C. § 103. Applicants respectfully request that this rejection be withdrawn.

#### **Rejection over Chang et al. and Blieszner et al.**

Claims 32-54 and 67-69 were rejected under 35 U.S.C. § 103(a) over Chang et al. in view of Blieszner et al. (U.S. Patent No. 5,648,083). The rejection of claims 32-54 and 67-69 is respectfully traversed, as Chang et al. is not a proper reference under 35 U.S.C. § 103. As noted above, the present application and U.S. Patent. No. 6,423,804 B1 were, at the time the invention of the present application was made, commonly owned by Kimberly-Clark Worldwide, Inc. Accordingly, under 35 U.S.C. § 103(c), U.S. Pat. No. 6,423,804 B1 cannot be used, alone or in combination with other references, in a rejection under 35 U.S.C. § 103. Applicants respectfully request that this rejection be withdrawn.

### Rejection over Chang et al., Blieszner et al. and Engekhart

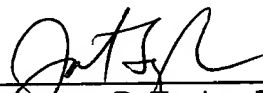
Claims 29-31 were rejected under 35 U.S.C. § 103(a) over Chang et al. in view of Blieszner et al. and further in view of Engekhart (U.S. Patent Application Publication No. 2001/0053753 A1). The rejection of claims 29-31 is respectfully traversed, as Chang et al. is not a proper reference under 35 U.S.C. § 103. As noted above, the present application and U.S. Patent. No. 6,423,804 B1 were, at the time the invention of the present application was made, commonly owned by Kimberly-Clark Worldwide, Inc. Accordingly, under 35 USC § 103(c), U.S. Pat. No. 6,423,804 B1 cannot be used, alone or in combination with other references, in a rejection under 35 U.S.C. § 103. Applicants respectfully request that this rejection be withdrawn.

### CONCLUSION

In conclusion, all of the grounds raised in the outstanding Office Action for rejecting the application are believed to be overcome or rendered moot based on the remarks above. Thus, it is respectfully submitted that all of the presently presented claims are in form for allowance, and such action is requested in due course. Should the Examiner feel a discussion would expedite the prosecution of this application, the Examiner is kindly invited to contact the undersigned.

Respectfully submitted,

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Jonathan P. Taylor, Ph.D.  
Registration No. 48,338  
Agent for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200